

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

YISEL DEAN, Administratrix of the
Estate of Steven Dean, deceased, et al.,

Plaintiff,

v.

RAYTHEON CORPORATION,
RAYTHEON AIRCRAFT HOLDINGS,
INC., RAYTHEON AIRCRAFT CO.,
RAYTHEON CREDIT CORPORATION,
and COLGAN AIR, INC.,

Defendants.

Civil Action No. 05-CV-10155-PBS

**DEFENDANT COLGAN AIR, INC.'S MOTION
FOR A REQUEST FOR A HEARING**

Defendant Colgan Air, Inc. ("Colgan"), by counsel, respectfully submits this Motion for a Request for a Hearing, and states as follows:

Colgan previously filed a Motion to Dismiss the Plaintiff's Second Amended Complaint pursuant to Fed. R. Civ. P. 12(b)(6). At the July 27, 2005 hearing, this Court took the Motion to Dismiss under advisement and ordered the parties to conduct limited discovery. In accordance with the Court's directive, the parties have submitted Joint Agreed Stipulations of Fact, as well as Supplemental Memoranda. As the parties have produced more facts and law with regard to the Motion to Dismiss, Colgan submits that oral argument may assist this Court in ruling on the Motion to Dismiss.

The Plaintiff, through her counsel, has advised Colgan that she does not object to the Motion for a Request for a Hearing.

WHEREFORE, based on the foregoing reasons, Colgan, by counsel, respectfully requests that this Court conduct a second hearing on its previously filed Motion to Dismiss.

Dated: October 21, 2005

COLGAN AIR, INC.
By its attorneys,

/s/ Anthony L. DeProspero, Jr.
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CERTIFICATION

Pursuant to Local Rule 7.1(a)(2), the undersigned counsel has conferred with counsel for the Plaintiff, who has advised that she does not object to the Motion.

/s/ Thomas B. Almy

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served this 21st day of October, 2005 via first-class U.S. mail, postage prepaid, to:

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